

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q73765

Takashi UDAGAWA

Appln. No.: 10/540,995

Group Art Unit: 2812

Confirmation No.: 2221

Examiner: Laura M. Schillinger

Filed: June 28, 2005

For: BORON PHOSPHIDE-BASED SEMICONDUCTOR LIGHT-EMITTING DEVICE AND  
PRODUCTION METHOD THEREOF

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Restriction and Election of Species Requirement dated October 4, 2007.

With respect to the Restriction Requirement, Applicants elect Group I, claims 1-19 (drawn to a device), without traverse.

With respect to the Election of Species Requirement, Applicants elect Species I (drawn to a boron phosphide based semiconductor amorphous layer including a high resistance), also without traverse. Claims 1 and 3-19 read thereon.

Applicants also reserve the right to file a Divisional Application directed to the non-elected subject matter. Applicants also reserve the right to request rejoinder of method claims amended to include all of the limitations of an allowed product claim.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Abraham J. Rosner

Registration No. 33,276

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 25, 2007